



Patent
Attorney Docket No. 54113.8005.US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DePAOLI, Alex M. et al.

APPLICATION NO.: 10/623,189

FILED: July 18, 2003

FOR: USE OF LEPTIN FOR TREATING HUMAN
LIPOTROPHY AND METHODS OF DETERMINING
PREDISPOSITION TO SAID TREATMENT

EXAMINER:

ART UNIT:

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited on November 12, 2003, with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Deborah Muench
DEBORAH MUENCH

**INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF
APPLICATION FILING OR BEFORE FIRST ACTION – 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

Copies of the following references are enclosed:

- All cited references
- References marked by asterisks
- The following: B1-B33 and C1-C44

Copies of the following references can be found in parent U.S. Application No. :

- All cited references
- References marked by asterisks
- The following:

This application was filed after 30 June 2003 and no copies of U.S. patents nor published applications are enclosed (See Notice of Deputy Commissioner Kunin on 11 July 2003).

The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

All cited references
 References marked by ampersands
 The following:

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

Applicant further submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):

In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or

In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the

certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. **50-2586**.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

A check in the amount of _____ is enclosed for the above fee(s).
 Please charge _____ to Deposit Account No. **50-2586** for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Deposit Account No. **50-2586**.

Respectfully submitted,
Perkins Coie LLP

Dated: November 12, 2003

By:

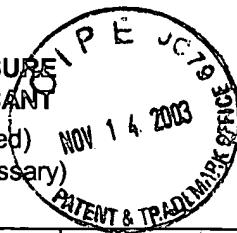


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Form PTO-1449 (Modified)
(Use several sheets if necessary)



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Examiner Name	

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FOREIGN PATENT DOCUMENTS

		Foreign Patent or Application				
	B28	WO 97/20933				
+	B29	WO 97/38014				
+	B30	WO 97/46585				
+	B31	WO 98/08512				
X	B32	WO 98/28427				
X	B33	WO 00/20872				

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	C1	ABATE, N., et al., "Estimation of Adipose Tissue Mass By Magnetic Resonance Imaging: Validation Against Dissection in Human Cadavers," <i>J. Lipid Res.</i> 1994; 35:1490-6.	
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	C3	ARIOGLU, E., et al., "Efficacy and Safety of Troglitazone in the Treatment of Lipodystrophy Syndromes," <i>An Intern Med.</i> 2000; 133:263-74.	
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FOREIGN PATENT DOCUMENTS

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		Office	NUMBER				
X	B1		EP 725078				
X	B2		EP 725079				
X	B3		EP 736599				
Y	B4		EP 741187				
X	B5		EP 744408				
X	B6		EP 745610				
X	B7		EP 835879				
X	B8		WO 96/05309				
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X	B27		WO 97/18833				

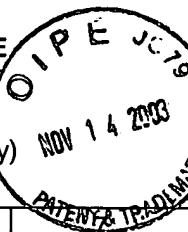
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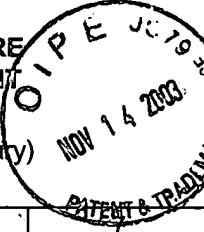


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	C9	CAO, H., et al., "Nuclear Lamin A/C R482Q Mutation in Canadian Kindreds With Dunnigan-Type Familial Partial Lipodystrophy," <i>Hum Mol Genet.</i> 2000; 9:109-12.	
	C10	COSIDINE, R.V., et al., "Serum Immunoreactive-Leptin Concentrations in Normal-Weight and Obese Humans," <i>N Engl J Med.</i> 1996; 334:292-5.	
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	C12	FAROOQI, I.S., et al., "Effects of Recombinant Leptin Therapy in A Child With Congenital Leptin Deficiency," <i>N Engl J Med.</i> 1999; 341:879-84.	
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	C18	GAVRILOVA, O., et al., "Surgical Implantation of Adipose Tissue Reverses Diabetes in Lipoatrophic Mice," <i>J Clin Invest</i> 2000; 105: 271-8.	
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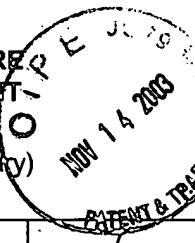


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	C30	MANTZOROS, C.S., et al., "Editorial: Leptin As A Therapeutic Agent-Trials and Tribulations," <i>J Clin Endocrinol Metab</i> 2000; 85:4000-2.	
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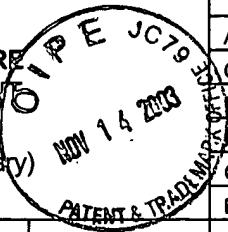
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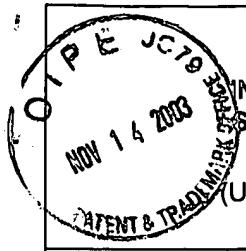
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		NUMBER	Kind Code (if known)			
A1		5,521,283				
A2		5,525,705				
A3		5,532,336				
A4		5,552,522				
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